

CHAPTER 404

CRIMINAL LAW AND PROCEDURE

HOUSE BILL 19-1051

BY REPRESENTATIVE(S) Carver and McLachlan, Bird, Buentello, Cutter, Duran, Esgar, Exum, Froelich, Galindo, Geitner, Gonzales-Gutierrez, Gray, Hooton, Jackson, Kipp, Liston, McCluskie, Michaelson Jenet, Pelton, Ransom, Snyder, Sullivan, Titone, Will, Williams D., Becker, Benavidez, Humphrey, Jaquez Lewis, Lontine, Melton, Sandridge, Singer, Soper, Valdez A., Valdez D., Van Winkle;

also SENATOR(S) Gardner and Ginal, Bridges, Cooke, Court, Crowder, Fields, Hisey, Lundeen, Marble, Priola, Rodriguez, Scott, Story, Tate, Todd, Williams A., Winter, Woodward, Zenzinger, Garcia.

AN ACT**CONCERNING HUMAN TRAFFICKING PREVENTION TRAINING BY THE DEPARTMENT OF PUBLIC SAFETY.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add** 24-33.5-523 as follows:

24-33.5-523. Human trafficking prevention training - repeal. (1) THE DIVISION SHALL SERVE AS AN ADDITIONAL RESOURCE TO PROVIDE TRAINING RELATED TO HUMAN TRAFFICKING. THE TRAINING MAY INCLUDE:

- (a) TRAIN-THE-TRAINER PROGRAMS;
- (b) DIRECT TRAININGS; AND
- (c) ONLINE TRAINING PROGRAMS.

(2) UPON REQUEST, THE FOLLOWING ENTITIES MAY RECEIVE TRAINING FROM THE DIVISION:

- (a) LAW ENFORCEMENT AGENCIES;
- (b) ORGANIZATIONS THAT PROVIDE DIRECT SERVICES TO VICTIMS OF HUMAN TRAFFICKING;

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(c) SCHOOL PERSONNEL AND PARENTS OR GUARDIANS OF STUDENTS; AND

(d) ANY OTHER ORGANIZATION, AGENCY, OR GROUP THAT WOULD BENEFIT FROM SUCH TRAINING.

(3) TRAINING CURRICULA PROVIDED BY THE DIVISION MUST BE DEVELOPED IN COLLABORATION WITH THE COLORADO HUMAN TRAFFICKING COUNCIL CREATED IN SECTION 18-3-505.

(4) WHEN EVALUATING REQUESTS FOR TRAINING, THE DIVISION SHALL GIVE PRIORITY TO REQUESTS FROM AREAS OF THE STATE THAT HAVE LIMITED ACCESS TO OTHER TRAINING RESOURCES.

(5) ON OR BEFORE JANUARY 17, 2020, AND EACH YEAR THEREAFTER, THE DIVISION SHALL INCLUDE AN UPDATE ON TRAININGS PROVIDED BY THE DIVISION IN THE ANNUAL HUMAN TRAFFICKING REPORT REQUIRED BY SECTION 18-3-505 (4)(b).

(6) THE DIVISION MAY ACCEPT AND EXPEND MONEY, GIFTS, GRANTS, DONATIONS, SERVICES, AND IN-KIND DONATIONS FROM ANY PUBLIC OR PRIVATE ENTITY FOR ANY DIRECT OR INDIRECT COSTS ASSOCIATED WITH THE DUTIES OF THIS SECTION; EXCEPT THAT THE DIVISION MAY NOT ACCEPT MONEY, GIFTS, GRANTS, DONATIONS, SERVICES, OR IN-KIND DONATIONS IF ACCEPTANCE IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH STATE LAW OR REQUIRES A PREDETERMINED CONCLUSION OR RESULT FROM THE DIVISION. THE DIVISION SHALL REQUEST THAT THE ENTITY OFFERING THE MONEY, GIFT, GRANT, DONATION, SERVICES, OR IN-KIND DONATION SUBMIT A LETTER PRIOR TO THE OFFER SPECIFYING THE AMOUNT OF MONEY, GIFT, GRANT, OR DONATION OFFERED, OR THE ESTIMATED VALUE OF THE SERVICES OR IN-KIND DONATION OFFERED; THE PERIOD FOR WHICH THE MONEY, GIFT, GRANT, DONATION, SERVICES, OR IN-KIND DONATION IS AVAILABLE; AND THE SPECIFIC PURPOSES FOR WHICH THE MONEY, GIFT, GRANT, DONATION, SERVICES, OR IN-KIND DONATION IS TO BE USED. THE DIVISION SHALL NOT PROVIDE TRAINING UNTIL SUFFICIENT MONEY IS AVAILABLE FROM GIFTS, GRANTS, AND DONATIONS TO COVER THE COSTS ASSOCIATED WITH IMPLEMENTING AND PROVIDING THE TRAINING.

(7) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2023. BEFORE ITS REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 24-34-104.

SECTION 2. In Colorado Revised Statutes, 24-33.5-1801, **amend** (3)(c); and **add** (2.5), (3)(e), (3)(f), and (3)(g) as follows:

24-33.5-1801. Legislative declaration. (2.5) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

(a) HUMAN TRAFFICKING IS A MATTER OF STATEWIDE CONCERN AND HAS A DIRECT IMPACT ON LOCAL COMMUNITIES, LAW ENFORCEMENT AGENCIES, AND ORGANIZATIONS THAT PROVIDE SERVICES TO HUMAN TRAFFICKING SURVIVORS;

(b) ALTHOUGH TRAINING RESOURCES ARE AVAILABLE ON THE FRONT RANGE, MANY AREAS OF THE STATE HAVE LIMITED TRAINING RESOURCES PERTAINING TO HUMAN TRAFFICKING THAT ARE EASILY AVAILABLE OR ACCESSIBLE;

(c) LABOR AND SEX TRAFFICKING CAN HAPPEN IN ANY COMMUNITY. ALL AREAS OF THE STATE SHOULD HAVE ACCESS TO TRAINING TO HELP IDENTIFY HUMAN TRAFFICKING AND PROVIDE CRITICAL SERVICES TO HUMAN TRAFFICKING SURVIVORS.

(d) TRAFFICKERS TARGET AND RECRUIT CHILDREN IN SCHOOLS IN COLORADO. IT IS ESSENTIAL TO INCREASE AWARENESS OF SCHOOL STAFF, PARENTS AND GUARDIANS, AND STUDENTS OF THE DANGERS OF HUMAN TRAFFICKING. TO ASSIST SCHOOLS, PARENTS, AND CHILDREN, THE COLORADO SCHOOL SAFETY RESOURCE CENTER SHALL ANNUALLY UPDATE AND DISSEMINATE A LIST OF AVAILABLE HUMAN TRAFFICKING CURRICULA TO SCHOOLS, INCLUDING SOME THAT ARE FREE OF CHARGE.

(e) THE COLORADO HUMAN TRAFFICKING COUNCIL HAS DEVELOPED A CURRICULUM AND TRAIN-THE-TRAINER PROGRAM FOR LAW ENFORCEMENT; AND

(f) THE COUNCIL WAS ALSO CHARGED WITH DEVELOPING A CURRICULUM AND TRAIN-THE-TRAINER PROGRAM FOR ENTITIES THAT PROVIDE SERVICES TO HUMAN TRAFFICKING SURVIVORS. THE CURRICULUM AND TRAINING PROGRAMS MAY SUPPLEMENT THE EXCELLENT ANTI-TRAFFICKING WORK BEING DONE BY ADVOCACY AND SERVICE ORGANIZATIONS ACROSS THE STATE.

(3) Now, therefore, the general assembly declares that:

(c) Resources are needed to fully develop safety plans and practices in Colorado's schools, colleges, and universities; ~~and~~

(e) LAW ENFORCEMENT AGENCIES, ORGANIZATIONS THAT PROVIDE SERVICES TO HUMAN TRAFFICKING SURVIVORS, AND LOCAL COMMUNITIES WOULD BENEFIT FROM ADDITIONAL TRAINING OPPORTUNITIES RELATED TO HUMAN TRAFFICKING;

(f) THE DIVISION OF CRIMINAL JUSTICE AND THE COLORADO HUMAN TRAFFICKING COUNCIL ARE WELL PLACED TO DEVELOP HUMAN TRAFFICKING CURRICULA AND TO HELP PROVIDE TRAINING IN THIS CRITICAL AREA; AND

(g) THE COLORADO SCHOOL SAFETY RESOURCE CENTER IS COMMITTED TO CONTINUING TO MAKE AVAILABLE HUMAN TRAFFICKING EDUCATIONAL RESOURCES TO SCHOOLS, PARENTS, AND CHILDREN.

SECTION 3. In Colorado Revised Statutes, 24-33.5-1803, **amend** (3)(l) as follows:

24-33.5-1803. School safety resource center - created - duties. (3) The center has the following duties:

(l) To provide materials and training as described in section 24-33.5-1809 to personnel in school districts and charter schools, parents, and students regarding the awareness and prevention of child sexual abuse and assault, INCLUDING HUMAN TRAFFICKING;

SECTION 4. In Colorado Revised Statutes, 24-34-104, **add** (24)(a)(XII) as follows:

24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration - repeal.
(24) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2023:

(XII) HUMAN TRAFFICKING PREVENTION TRAINING PURSUANT TO SECTION 24-33.5-523.

SECTION 5. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 31, 2019